

THE
TRUE STORY
OF THE
QUEST

[Price One Shilling and Sixpence]





THE Author is sensible how much inferior this little tract is, not only to the dignity and importance of the subject, but even to what it might have been had a little more time been allowed. The matter is too much contracted, and the style too diffuse. Faults perhaps necessarily incident to work every written on the spur of fleeting occasion.





THE
TRUE STATE
OF THE
QUESTION

It is the curse of Kings to be attended
By Slaves, that take their humour
And on the winking of authority
To understand a law, to know the meaning
Of dangerous Majesty, when perchance it means
More upon humour than advised respect.

SHAKESPEARE

L O N D O N :

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THE
TRUE STATE
OF THE
QUESTION.

THE present dispute between the King and the House of Commons is the universal topic in all societies; is as it ought to be, the leading subject in every man's mind; and however the conversation begins, it naturally slides into this great subject, for a great one it certainly is, unless liberty and the Constitution are become mere sounds.

In listening to and partaking of these amicable altercations, I have observed with great surprise, that there are num-

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bers who do not at all understand the
 state of the question: now as I think, if
 ever any political question could admit
 of being rendered simple and clear, it is
 that which at present is in dispute, I
 shall beg that such as wish to decide
 upon it fairly and honestly, and are not
 predetermined that reason shall have no
 effect upon them, will listen to what I
 have to say; I will be as short as I can,
 and will attempt no oratory, for I de-
 sire to persuade, but to convince;
 I will endeavour to assume no fact
 that is not universally allowed, nor to
 draw any conclusion that is not fair and
 obvious.

The actual government was fixed at
 the Revolution. The tyranny and bi-
 gotry of the King had dissolved the con-
 tract between him and the people. A
 new King was called; but before the

CROWN

crown was conferred upon him, such restriction of the prerogative, and such declarations of the rights of the people were insisted upon, as might for the future confine the royal power within its due bounds. Little or no alteration was made in the form or theory of government; but every provision was made, that the wisdom or temper of the times allowed of, to secure the independency of parliament, and the liberties of the people.

No part of the system then established seems to have been better understood or more happily conceived than that which regarded * *the administration of government.*

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* The administration of government is generally more essential to public liberty than the form itself.— Or, to state it otherwise, that form is the best which contains in itself the best security for being well administered; for almost all forms are good when administered in the perfection of their separate principles.

ent. The whole executive power resides virtually in the King; this is the very essence of the constitution, one of the fundamental pillars of the edifice; he can therefore be amenable to no law, because, for a man to sit in judgment upon himself implies a contradiction. In his legislative capacity, as third independant estate, he is not accountable to the other two, any more than they are reciprocally to him or to each other. Thus the sentence of the law, "that the King can do no wrong," is not an old legal adage founded on obsolete notions of prerogative, but a positive maxim of fact, deriving necessarily from the principles of the constitution. But for the King to exercise the various executive powers in his own person, is not only physically impossible, but must, *ipso facto*, destroy the shadow of a balance between the three estates. The immediate command of the
army,

army, the navy, the unlimited power of creating peers, a power which exerted in the extent, gives the Crown an absolute controul over that house, and above all the disposal of an immense patronage of honours and emoluments, must, if exercised in the person of a magistrate responsible for none of his actions, have rendered that magistrate the most despotic Sovereign in Europe. The expedient adopted, was simple, obvious and adequate. These powers were separately delegated to persons appointed by the King, and acting under his authority, but responsible to the laws and the legislature*; and

* Almost immediately after feudal anarchy had subsided into a more settled form, the administration of public justice had been delegated by the crown to the Judges of the land; and it is well worthy of remark, that though the Judges derive their authority so immediately from the King, that they are feigned when in commission actually to represent his person, yet so great has been the jealousy of his interference in the execution

and to the appointment of whom the
 sanction of parliament was an indispen-
 sible requisite; because parliament having
 it in their power to withhold the sup-
 plies, would only grant them to such men
 as had their approbation. Thus mini-
 sters became public men, responsible to
 parliament for their conduct, and looking
 up to parliament for support; and not as
 in despotic governments, the mere instru-
 ments of the will of an arbitrary master.
 Such was the system of an administration
 established at the Revolution, and con-
 tinued without change, or diminution,
 through four successive reigns, to the
 death of the late King; and I will ven-
 ture to assert, that every reasoning and
 impartial man, who will begin by exa-

execution of this department, that it is established by
 law that the Judges shall not be amoveable at the royal
 will, and even their salaries are determined by Parlia-
 ment.

mining

mining the probable efficacy of this system for the preservation of public liberty and the independance of parliament, and will then trace its operation through the period above mentioned, will not hesitate to pronounce it the great palladium of the Constitution. For those who are not disposed to enter upon such an investigation, suffice it to observe, that from the institution of this system in 1688 to the essential alteration made in it in 1760, the history of the world cannot furnish an instance of a nation more mildly, more peaceably, more equitably governed, more happy and prosperous at home, or more gloriously successful abroad, than is presented by the annals of Great Britain during the 72 years immediately succeeding this great æra of the Constitution; and that from the hour this system was to be undermined, to make way for that which it is now proposed to ratify and avow,

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the country has declined with a rapidity which has no example.

His present Majesty ascended the throne of his ancestors with advantages unknown to the most fortunate of his predecessors. As a man his felicity was such that nothing was left for the poets of that time to imagine.

—“ at his birth

“ Nature and Fortune join'd to make him great.

As a Monarch he was the idol of a glorious, prosperous and happy nation. His arms victorious in every quarter of the globe; his administration conducted by one of the honestest and ablest statesmen that ever existed, possessing the unbounded confidence of the Parliament, and the people.—When I contemplate this bright picture, and then turn to the dark scene which follows—When I consider

sider what might have been, and what is—How, and for what objects these advantages have been sacrificed—It is difficult indeed to preserve the temper which decency requires.

Lord B. was a man of personal ambition, of Tory principles, and narrow views. He felt that under the system of parliamentary administration the Crown was not sufficiently predominant in the state for his purposes; and he saw in that system the perpetual exclusion of his own pretensions to that absolute Ministry to which he aspired; unfortunately for the nation he did not foresee that he was preparing for himself an early disgrace, to be followed by long years of remorse and gloomy solitude; and for his Sovereign, a turbulent and —— reign.

William Pitt, at that time in the meridian of his glory, a figure that filled

the eye of the universe, was marked out as the first sacrifice to Lord B's rash and ill-conducted enterprise; nor was his fall difficult to accomplish. Conscious of superior ability and purity of intention, he had contented himself with the confidence of parliament, and the regard of his honest sovereign; and had disdained, or at least neglected to conciliate the good will of his associates in office with perhaps too much haughtiness. These men were easily persuaded to join in his overthrow. They felt themselves overshadowed by his greatness, and were not sorry to emerge into day. In Lord B. they beheld a figure which gave them no jealousy of leading parts or party consequence, and they were forward to court the favour of their young sovereign by receiving amongst them a man who was honoured with the title of his friend. The great William Pitt was driven out
of

of office to make way for Lord B. with no more bustle than attends the most ordinary occurrence.

A very short time was sufficient to convince those men how egregiously they had been duped. If their high spirit and great national character had borne with impatience the predominancy of Mr. Pitt's name and extraordinary abilities, what must have been their feelings to find themselves arrogantly dictated to by a man without abilities, without experience, without a name, without party weight or public confidence? For a while they stood astonished in stupid amazement; and when they were beginning to recollect themselves, Lord B. threw off the mask at once, and started up in his own shape confessed. Intoxicated with his success in turning out Mr. Pitt, he kept

no measures. He seized the reins and vaulted into the car. Men of the highest character, and greatest party weight, whose ancestors had placed the royal family on the throne, and who had been themselves its firmest support, were driven from the royal presence with the most galling marks of insult and contempt. Situations of the greatest trust and honour were committed to men whose very names were unknown, and to obscure and hungry Scotchmen; and personal and unconditional allegiance to the favourite was openly declared to be the only terms upon which those men, who should be found base enough to desert their principles and their party, could hope to be received into favour. Such mad precipitancy is hardly to be paralleled.

Quos perdere vult Jupiter prius dementat.

His

His head grew giddy with the height—
and down fell this Phaeton favorite
never to rise again.

It would have been happy if the mischief had stopped here.

The young unsuspecting ingenious mind of the Prince, under an authority of all others the most prevalent with a good heart, had received impressions, which at an early age are apt to sink so deep as to become the most irradicable prejudices.

Lord B. retired from public view, but his principles and his creatures remained in the cabinet; and have more or less directed or counteracted all its measures to the present hour. The establishment of *immediate and personal influence* has been the leading principle during the whole of
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the present reign ; to this every view has been directed ; to this every set of men have been sacrificed in their turn, without hesitation or remorse, as soon as they would no longer submit to be dishonoured by its operation, or had become the execration of the public by acquiescing in its destructive measures *. It does not come within the compass of my plan to trace this baleful principle thro' the long detail of its dark manœuvres for more than twenty years † ; and it is fully sufficient for

* Lord N. continued long in office because he was pledged for the continuance of the American war, which was a favourite court measure. For the last years he was in that unhappy predicament which leaves only the choice of evils—He could neither remain in office with credit or self-approbation, or resign with honour. This was the triumph of secret influence.

† Lord Rockingham and the shattered remains of the Whig party were forced into office by the voice of the people, and they were forced out of office by the operation of secret influence. In the apology for their resignation,

for my argument that no body denies or doubts its existence.

Since the employment of the immediate and personal influence of the Crown has been more openly avowed, attempts have been made to justify its principle. The crown lawyers, a description of men ever unfriendly to liberty, have of late affected to talk in high terms of the *right* which the King has to exercise his prerogative*. But this word *right* has two significations

resignation, published under the title of "Causes of the present Discontents," the eloquent author exposes the system of secret influence with that elegance of diction and perspicuity of argument for which he is so remarkable. This system was not at that time generally understood. Mr. B's exposition of it was then regarded as the refinement of an ingenious imagination. It would at present be ridiculous for telling what all the world knows.

* I would recommend it to Chancellors, and Attorneys and Solicitors General, when they threaten us with the latent rights of prerogative, not to lose sight
of

significations which it is very dangerous to confound. In one sense a man is said to have a *right* to do all that is not forbidden by the laws, however contrary to sense and justice: in the other he is said to have no right to do even what the law allows, if it be contrary to the dictates of reason and morality. On the former interpretation the most extravagant and criminal excess may be justified. As for example—

The King has an undoubted *right* to create as many peers as he pleases—founded on this right an expedient offers itself in the present emergency. By calling the majority of the commons up to the peers, till the new writs can be returned, parliament will remain at the disposal of the
new

of another right which they are too apt to forget—a right founded in nature, unalienable and antecedent to every human institution—I mean the right of the people to defend their liberties, when attacked, by such means as God has put into their hands.

new ministry; and this furnishes time enough to pass such laws as made secure for ever the independence of the crown and their own political existence.—I am almost ashamed to employ irony on so grave a subject.—But seriously, has not the King a *right* to create as many peers as he pleases? and have not the parliament a *right* to pass what laws they think proper? and yet to what monstrous absurdities may not the exercise of these rights lead!

But what then is the criterion by which we are to distinguish right from power. In private individuals it is honour and conscience; and in the governors of the people it is the public advantage; every exercise of power, therefore, which has not the public good for its object, however supported by theory, or by whomso-

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ever

ever exercised, is arbitrary and illegitimate: But to return to the more immediate object of this address. I have endeavoured to shew that the establishment of immediate and personal influence upon the ruins of public parliamentary responsible administration has been the great object of the present reign—that the latter is a system admirably calculated to secure the independency of parliament and the rights of the people, without endangering the just prerogative of the crown—and that the former tends evidently to subvert the independency of parliament and the liberties of the people; by throwing the whole weight of power into the hands of the King. Now no man will have the effrontery to deny that the last administration were forced into power by the sole efficacy of parliamentary support, in direct opposition

tion to secret influence, which they stood pledged to detect and resist in all its forms. Hence the reluctant delay with which they were at first admitted into office—hence the artful and successful attempt to break their force by tempting Lord S. with a bait which he had not strength of mind to resist——hence the rage and despair occasioned by the coalition, which once more enabled parliamentary support to take personal influence by storm, as it has been emphatically expressed by the creatures of the latter—and hence the last desperate exertion of secret influence over a few Lords of the Bedchamber to throw a bill out of parliament which had been brought in by the King's ministers, and had passed the commons three to one; and to remove an administration in the plenitude of parliamentary support, to make way for a set of men who have sworn allegiance to that

influence to which they owe their political existence.

Mr. P. you are a very young man, and it is the characteristic of ingenuous youth to be open and unsuspecting. You possessed a character till now spotless, a great hereditary name, and the reputation of knowledge and ability far above your years; and you are followed by a set of men just stepping into the world, of whom as nothing is known nothing ill can be spoken. Such a description of person was perhaps the only instrument the King could have employed with success on the present occasion. More experience would have preserved you from becoming the dupe of the most hackneyed arts; and with less character your name could not have been held out as a successful lure to the people. But let me beseech you, Sir, in the name of this wretched ruined country,

country, to consider well what you do. The eyes of the universe are turned towards you, and a splendid name and high character are surely worth deliberation! I know they are as difficult to support as they are rare and valuable; but they may be lost irretrievably by a single act in a single instant. Examine therefore by what arts and on what motives your great father was first dismissed from office, how his Administration was afterwards rendered impotent and abortive, and why the virtuous Lord R. was obliged to resign? Compare the arts then employed, and the objects then proposed with the present circumstances, observe in what they differ in practice or design*, and do not mistake the voice of a party heated

* Mr. P. is said to have urged the personal solicitation of his Sovereign as a principal motive for coming into office. The late Mr. Charles Yorke accepted the Seals because he could not resist royal solicitation. What was the consequence?

heated by the occasion, and the cry of interested individuals for the calm deliberate approbation of the public. Within the short period of a few days you have it in your choice either to set a seal on the public good opinion, or to damn yourself to everlasting fame.

Let me entreat you, Sir, to proceed no farther in this business; the people have honoured you of late,

— and you have bought golden opinions of all sorts of men, which should be worn now in their newest glois, not cast away so soon—

But should you lend the authority of your name to the final triumph and establishment of the personal influence of the K— on the ruins of parliamentary Administration, your virtues will have been more fatal to the liberties and the constitution

tution of your country, than the vices of all your predecessors since the Revolution.

I have very willingly given you the credit of supposing you actuated only by great public considerations; otherwise it would be easy to point out to you on what hollow and dangerous ground the interest of your personal and private ambition at present stands. All past example shows you how unfriendly the situation of Minister is to the affection of the people; you therefore can hardly flatter yourself that an exception will be made in your favour in times so peculiarly difficult as the present; but if it could, you may rest assured that the moment your popularity has served the turn, it will become an immediate object of jealousy to the K—, to the junto, and to the greatest part of your heterogeneous associates in office; and that if you were ever to venture

ture to rest upon, it to carry any great public measure into force which had not the thorough approbation of these persons, that instant your doom would be sealed; on the first nod of the master, the mutes of the Bedchamber and interior Cabinet would stand ready to give you the bow-string with as little remorse and as much satisfaction as they have just strangled the last of British Ministers.

The question therefore is not, whether it be expedient to dispossess the East-India Company of its territorial or commercial powers?—Not whether Mr. P. or Mr. F. be the honefter or abler man? or whether Lord G. or the Duke of P. has the higher character for political integrity—these questions are all irrelevant to the present subject, and those who put them forward as main points are
either

either deceived themselves or endeavour purposely to mislead the attention of others. No, the sole object in dispute, it cannot be too often repeated, is, whether the system of a parliamentary responsible administration shall be restored, a system which for a period of seventy years our Government was the envy of nations, and we became the first people in the universe; or that fatal error ratified and continued, which during an operation of twenty years has led us through a long and uninterrupted series of folly and dishonour, from the pinnacle of glory and prosperity to the brink of infamy and destruction.

Not but that the late Ministers might meet the present men with equal advantage on all these collateral points as on the main question. Nay, the very India-Bill itself, against which so much popular clamour has been artfully excited, this

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strong

strong hold of the new Cabinet, and the manner in which it was brought into Parliament, furnish the strongest instance of the adherence of the late Administration to their great principle; and ought alone to secure to them the perpetual confidence of the nation. Had Mr. F. brought forward a trimming half-formed abortive measure, placing the Patronage in the Crown, and sacrificing part of the object of the Bill to gain the support or stop the clamour of interested individuals, no pretext had then been furnished for what afterwards happened, and what it was too well foreseen would be attempted*; the evil indeed would not have been remedied,

* After the game that had been played when the P. of W.'s establishment was settled, Ministry knew for certain that arts would be employed against which, till they had had experience of them, no men of the least honour or liberality of sentiment could possibly be prepared. The *conspiracy* was for that time rendered abortive by the noble and manly conduct of a great personage.

remedied, and millions of people might have continued to groan under oppressions that disgrace humanity; but a specious palliative might have been held forth, and Ministers would have kept their offices, at least till some new and more subtile poison could be prepared, or some unguarded hour had furnished a safer opportunity for an unseen hand to direct the stiletto to their hearts. But they scorned such paltry motives—they boldly stepped forward with such a Bill as they thought adequate to the evil, without regard to party clamours or the certainty that every possible advantage would be taken of these clamours to drive them out of office on a plausible and popular pretence. They treated the disease, not with the flattering

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unction

personage, who raises the warmest hopes in the breasts of Englishmen.

unction of a timid and ignorant pretender,

—— to skin and film the ulcerous part,
while rank corruption mining all within
infects unseen ——

but with a firm and steady hand, probing
the sore to the bottom, and amputating the
rotten parts to preserve the whole mass
from mortification.

The objections to Mr. Fox's bill upon
which the clamours have been excited
are,

That it takes away chartered rights;

That it places a great weight of patron-
age in unsafe or improper hands;

That it trenches on the prerogative of
the crown.

The

The first of these objections implies so much ignorance of the first principles of legislation in general, and of the spirit of the British constitution in particular that it hardly deserves a serious answer. Are we to be told, that when any rights of which individuals are left in possession by the law become incompatible with the public safety, it is not only the right but the immediate duty of the legislature to remove them!—That a grant from the crown of a monopoly of those rights neither does nor can fence the rights themselves from parliamentary regulation?—That if the rights themselves may be regulated or taken away *a fortiori* the monopoly of them may be restrained or rescinded?—&c. &c. If this is not demonstrable I know nothing that is so.

The answer to the second objection has always appeared to me equally obvious
and

and simple. The corruption and incapacity of the company's government was the evil which the bill was to remedy; in tracing the causes of this disorder, it was found not so much to proceed from mal-administration, as from a radical fundamental error in government itself. An *imperium in imperio* has always been esteemed a solecism in politics, but imperial jurisdiction in a trading company implies a monstrous contradiction of contending and irreconcilable principles, from which the worst kind of tyranny must necessarily result. The sole principle of a commercial company is *gain*; and the sole principle of every just government ought to be *to secure the prosperity of the people governed*. Now is it not obvious, that these two principles must remain at perpetual variance; and that the former will always prevail over the latter? If this reasoning is just, and I think

think it is unanswerable, it follows, that the first preliminary step to the relief of the East-Indies was, to remove every part of government out of the hands of the company; and the question only remained, where these powers were to be placed. But after the vote "that the influence
 " of the crown had encreased, was en-
 " creasing, and ought to be diminished," with what sort of consistency could the same House of Commons propose to place in the hands of the crown a patronage magnified as so great and dangerous?— And if a power has grown up in the state which it is conceived may be employed for unconstitutional purposes, where can that power be so safely deposited, as in the hands of the representatives of the people? While the good understanding between the K. and the commons shall subsist, there is no fear of the crown's wanting a due influence in that house;
 and

and if it is to cease, and the powers of each, instead of co-operating through the medium of a parliamentary administration, are to be opposed to each other, where is the Englishman who would hesitate which hands to strengthen? Or where is the man of common understanding who can suppose that the rights of the people are dearer to the crown than to their own immediate representatives?

On the last objection I shall only observe, that the different branches of the legislature have reserved to themselves various executive powers. The supreme judicature of the Lords—the competency of both houses to try and punish certain offences—and above all the power of arraigning ministers are all high executive powers; those therefore who reason merely from the theory of the constitution, will

will, on this occasion, as almost on all others, find their conclusions wide of the fact.

One word on the dissolution of Parliament and I have done. The friends of the court party affect to treat this measure as the most simple and natural occurrence; and to wonder why there should be the least hesitation in the king's ministers on adopting so obvious and easy a resource in the present difficulty. But is this measure really so wise and expedient? Is there nothing *arbitrary* in dissolving a parliament merely for voting with the king's ministers one day, and not voting against the same men the next?

Is there nothing *dangerous* in dissolving parliament in the beginning of a session, when the finances are in the most

ruinous situation, when public credit is at the lowest ebb, when no appropriation has been made of the new supplies, when the public offices must all stop payment or issue monies in direct opposition to law, and when the last great dependency we have remaining is on the eve of being lost for want of immediate regulation?

Is there nothing *mischievous* in renewing the necessary evils of a general election, and creating so much ill blood in every part of the nation?

IS THERE NOTHING UNCONSTITUTIONAL IN DISSOLVING A PARLIAMENT NOT SUFFICIENTLY OBEDIENT TO THE ROYAL PLEASURE, SOLELY AND AVOWEDLY IN THE HOPE OF OBTAINING THROUGH THE INFLUENCE OF THE CROWN A NEW PARLIAMENT MORE OBEDIENT TO THE ROYAL WILL?

When these questions shall be answered with proof in the affirmative, I shall then cease to consider the dissolution of the present parliament, in the present moment, as a measure as dangerous and unconstitutional as any thing that the history of this country can furnish in the worst of times.

It has too frequently been the misfortune of mankind not to see the danger till the mischief has actually taken place, and it is too late for redress. Should the personal influence of the crown triumph over parliament, our sons will perfectly understand how their liberties were lost; but they will not, perhaps, so readily discover by what means they are to be regained.

Before I take my leave, I shall state certain *axioms*, which may serve as a re-

capitulation of the subject; and which I earnestly recommend to the attention of the public.

That the system of a strong responsible parliamentary administration is excellently calculated to preserve the consequence of parliament and the rights of the people.

That the system of secret and personal influence tends to subvert the constitution, to set the three estates at variance, and to endanger the liberties of the people.

That the late ministry owed their existence solely to the support of parliament.

That the present ministry owe their existence solely to the exertion of the secret and personal influence of the crown.

That

That it ~~is~~ the indispensable duty of parliament to support such men only as they approve of.

That to dissolve the parliament merely for doing its duty would be an absurd, dangerous, and unconstitutional exertion of the prerogative.



F I N I S.

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